

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EUGENIO A. JUAREZ,

No. C 09-2662 SI

Plaintiff,

v.

**ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE**

LITTON LOAN SERVICING, HSBC BANK,  
and DOES 1-25,

Defendants.

Defendants HSBC Bank and Litton Loan Servicing filed a motion to dismiss plaintiff's complaint on June 25, 2009. Plaintiff's opposition was due on July 17, 2009. However, plaintiff, who is representing himself, failed to oppose defendants' motion and has not otherwise communicated with the Court. The Court is not sure whether plaintiff received the motion, understood his need to file an opposition and/or intends to pursue this case any further.

Accordingly, the Court orders plaintiff to file a written declaration by August 7, 2009 stating why he did not file an opposition to defendants' motion to dismiss, stating whether he intends to proceed any further with this case, and stating why this case should not be dismissed for failure to prosecute. The August 7, 2009 hearing on defendants' motion to dismiss is VACATED and will be rescheduled as/if necessary. **Plaintiff is advised that if he does not file a written declaration as set out above, this action will be dismissed without prejudice for failure to prosecute.**

**IT IS SO ORDERED.**

Dated: July 29, 2009



SUSAN ILLSTON  
United States District Judge